

ESTTA Tracking number: **ESTTA654530**

Filing date: **02/06/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91194218
Party	Defendant Meridian Bioscience, Inc.
Correspondence Address	J MICHAEL HURST KEATING MUETHING & KLEKAMP 1 E 4TH ST, STE 1400 CINCINNATI, OH 45202 3752 UNITED STATES mhurst@kmklaw.com, trademarks@kmklaw.com
Submission	Testimony For Defendant
Filer's Name	J. Michael Hurst
Filer's e-mail	mhurst@kmklaw.com
Signature	/J. Michael Hurst/
Date	02/06/2015
Attachments	Delcaration-Ferguson executed.pdf(46746 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL APPEAL BOARD**

ILLUMINA, INC.,)	
)	Opposition No. 91194218 (parent)
)	Ser. No. 77/768176
Opposer/Petitioner,)	
)	Opposition No. 91194219
-v-)	Ser. No. 77/775316
)	
MERIDIAN BIOSCIENCE, INC.,)	Cancellation No. 92053479
)	Reg. No. 3887164
Applicant/Registrant.)	
)	Cancellation No. 92053482
)	Reg. No. 3868081
)	

DECLARATION OF STEPHANIE A. FERGUSON

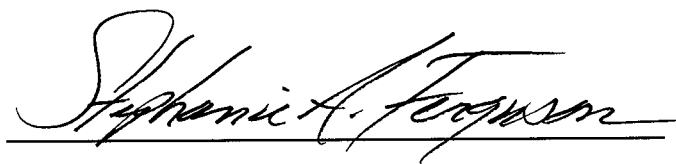
I, Stephanie A. Ferguson, hereby state and declare as follows:

1. My name is Stephanie A. Ferguson, I am over eighteen (18) years of age, and I have personal knowledge of the facts stated in this Declaration.
2. I am employed by Keating Muething & Klekamp ("KMK") as a Paralegal. I have been with KMK since April 2014.
3. In connection with the Notice of Reliance submitted by Meridian Bioscience, Inc. in the above-referenced matter, I prepared the screen captures submitted as evidence of trademark usage for the trademarks listed in Exhibit 12, ILLUM-formative Marks, Exhibit 13, LUMI-formative Marks, and Exhibit 14, TRU-formative marks. I attest that the screen captures were taken on the dates and times shown in the bottom right corner of each capture, and that the websites from which they were taken were active on those dates and times.

Pursuant to 37 C.F.R. § 2.20, the undersigned being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements and the like may jeopardize the validity of the application or

document or any registration resulting therefrom, declares that all statements made of my own knowledge are true; and all statements made on information and belief are believed to be true.

Executed on February 5th, 2015.

A handwritten signature in black ink, reading "Stephanie A. Ferguson", written over a horizontal line.

Stephanie A. Ferguson